



HOUSE OF REPRESENTATIVES

HB 2106

homeowners' associations; enforcement grace period

Prime Sponsor: Representative Lovas, LD 22

DP Committee on Government and Higher Education

DPA Caucus and COW

X As Transmitted to the Governor

OVERVIEW

HB 2106 modifies the response period for a notice of violation from a homeowners' association (HOA).

PROVISIONS

1. Stipulates that a condominium unit owner or planned community member (member) has 21 calendar days to provide the HOA with a written response to a notice of violation, rather than 10 business days.
2. Makes technical changes.

CURRENT LAW

A member who receives written notice that the property condition is in violation of a condominium or community document requirement without regard to whether a monetary penalty is imposed by the notice may provide the HOA with a written response by certified mail within 10 business days. After receipt of the member's response, the HOA has 10 business days to provide a written response containing the following information, unless previously provided in the notice: 1) the provision of the document that has allegedly been violated; 2) the date of the violation or date the violation was observed; 3) the first and last name of the person or persons who observed the violation; and 4) the process to contest the notice. Unless the process to contest the notice is provided in the violation, an HOA is prohibited from proceeding with any action to enforce the documents, including the collection of attorney fees, before or during the exchange of information between the member and the HOA (A.R.S. §§ [33-1242](#) and [33-1803](#)).